



LAW OFFICES
LIMITED LIABILITY PARTNERSHIP

NEW YORK, NY
LOS ANGELES, CA
COSTA MESA, CA
SAN FRANCISCO, CA
WILMINGTON, DE

780 THIRD AVENUE
34th FLOOR
NEW YORK
NEW YORK 10017-2024

TELEPHONE: 212/561 7700
FACSIMILE: 212/561 7777

LOS ANGELES
10100 SANTA MONICA BLVD.
13th FLOOR
LOS ANGELES
CALIFORNIA 90067

TELEPHONE: 310/277 6910
FACSIMILE: 310/201 0760

COSTA MESA
650 TOWNE CENTER DRIVE
SUITE 1500
COSTA MESA
CALIFORNIA 92626

TELEPHONE: 714/384 4750
FACSIMILE: 714/384 4751

SAN FRANCISCO
150 CALIFORNIA STREET
15th FLOOR
SAN FRANCISCO
CALIFORNIA 94111-4500

TELEPHONE: 415/263 7000
FACSIMILE: 415/263 7010

DELAWARE
919 NORTH MARKET STREET
17th FLOOR
P.O. BOX 8705
WILMINGTON
DELAWARE 19899-8705

TELEPHONE: 302/652 4100
FACSIMILE: 302/652 4400

Ilan D. Scharf

November 7, 2023

212.561.7721
ischarf@pszjlaw.com

Via Electronic Filing

Honorable Patrick G. Radel
United States Bankruptcy Court
Northern District of New York
Alexander Pirnie U.S. Courthouse
and Federal Building
10 Broad Street
Utica, NY 13501

Re: The Roman Catholic Diocese of Ogdensburg, New York; Case No. 23-60507; The Roman Catholic Diocese of Ogdensburg, New York; et al. v. Certain Underwriters at Lloyd's, London; et al.; Adv. Pro. Case No. 23-80013 -Mediator Selection

Dear Judge Radel:

We write in connection with this Court's *Order Referring Certain Matters to Mediation* (the "Mediation Order") [Adv. Pro. Docket No. 39] and in response to the Debtor's Letter filed on November 2, 2023 with respect to the selection of a mediator (the "Debtor's Letter") [Docket No. 45]. For the reasons stated on the record and in the *Response of the Official Committee of Unsecured Creditors Regarding Debtor's Motion for Entry of an Order Referring Certain Matters to Mediation* [Docket No. 19], the Committee strongly believes that either retired Judge Christopher Sontchi or Roger Kramer should be appointed as the mediator for this case.

Judge Sontchi is uniquely qualified to serve as mediator for this case because he presided over the chapter 11 case of the Diocese of Wilmington, Delaware, which had issues regarding property of the estate similar to the Diocese of Ogdensburg's case. He has mediated many complex matters, both on and off the bench. His



Honorable Patrick G. Radel
November 7, 2023
Page 2

credentials and contact information are available at:
www.sontchillc.com

Mr. Kramer has mediated numerous clergy abuse matters and served as claims allocator in prior Diocesan and Religious Order chapter 11 cases. He currently serves as mediator for approximately 64 CVA claims against the Archdiocese of New York. His hourly rate is \$500 per hour and he confirmed that he has time to devote to this matter and is willing to travel as necessary to attend mediation sessions. His credentials and contact information are available at: www.kramerlitigation.com/index.htm

As discussed today, the Committee asks the Court to interview each candidate it considers for the mediator position.

As the Court in the Diocese of Buffalo noted, the Committee, on behalf of survivors, bears the most risk in this process. Here, the Committee believes Judge Sontchi or Mr. Kramer are the mediators most likely to lead to an efficient and consensual resolution, the Committee respectfully requests the appointment of Judge Sontchi or Mr. Kramer.

Respectfully submitted,

/s/ Ilan D. Scharf

Ilan D. Scharf

cc: Stephen A. Donato, Esq.